

1 JUDGE STEINBERG: It was receiving from Pomona and
2 retransmitting it?

3 THE WITNESS: Yes.

4 JUDGE STEINBERG: That is when you left the
5 station. You heard the three dedications. You are on what,
6 the Jersey Turnpike or the Garden State?

7 THE WITNESS: The Jersey Turnpike.

8 JUDGE STEINBERG: The Jersey Turnpike. You are
9 listening to the station. Did you notice during the time
10 that you were monitoring or listening to the station any
11 improvement in sound quality, any noticeable improvement?

12 THE WITNESS: That night? That particular night?

13 JUDGE STEINBERG: Yes, that particular night. Can
14 you remember?

15 THE WITNESS: I don't recall any improvement, no.

16 JUDGE STEINBERG: So the quality of the audio was
17 about the same throughout the trip?

18 THE WITNESS: Yes. I used to monitor frequently
19 just because I worked for the station and wanted to know.
20 That night I don't recall there being a difference.

21 JUDGE STEINBERG: And then you called Chuck
22 Garlin, and he said that the Monticello transmitter was off
23 the air?

24 THE WITNESS: Yes.

25 JUDGE STEINBERG: If the Monticello transmitter

1 was off the air, would the station switch over to the
2 microwave?

3 THE WITNESS: No. I don't recall if Monticello
4 dropped that that would happen, no.

5 JUDGE STEINBERG: If Monticello dropped, then
6 would Pomona not drop?

7 THE WITNESS: The audio would. The audio would
8 not be transmitted to Pomona, and then Pomona would not be
9 able to to transmit and be picked up by Fort Lee.

10 JUDGE STEINBERG: So if the Monticello transmitter
11 went down, then nothing would be coming out of Pomona?

12 THE WITNESS: There shouldn't be if we were in
13 that No. 5 position on the TC-8.

14 JUDGE STEINBERG: And you were when you left the
15 station?

16 THE WITNESS: Yes.

17 JUDGE STEINBERG: So you should have heard nothing
18 when the Monticello transmitter went down if it went down?

19 THE WITNESS: Maybe static, but no actual
20 programming.

21 JUDGE STEINBERG: If the Monticello transmitter
22 went down and you were still hearing programming, would that
23 lead you to conclude or indicate to you that the programming
24 was coming over the microwave?

25 THE WITNESS: Yes.

1 JUDGE STEINBERG: And when the programming came
2 over the microwave, usually there was an improved sound
3 quality?

4 THE WITNESS: Yes.

5 JUDGE STEINBERG: But there was not that night?

6 THE WITNESS: No, sir. No. May I clarify?

7 JUDGE STEINBERG: Sure.

8 THE WITNESS: The sound quality did not improve
9 from the time that I left the station. I don't remember
10 that happening. I don't know if there was a problem from
11 the time I left the station and got to my car and turned on
12 the radio if something changed there. The sound that I
13 heard going from Dumont to Jersey City, from what I
14 remember, remained consistent. It was consistent the whole
15 time.

16 JUDGE STEINBERG: You testified earlier that it
17 was great working for Mr. Turro. It was great experience,
18 and you enjoyed it very much until near the end. You made
19 reference that you were preparing your resume and sending
20 them out, etc.

21 What happened toward the end of your employment to
22 make you want to leave?

23 THE WITNESS: Can I say one thing, Your Honor?

24 JUDGE STEINBERG: Sure.

25 THE WITNESS: I wasn't preparing resumes before I

1 was leaving Jerry. I was planning on leaving, and it didn't
2 really matter to me where I was going after that.

3 JUDGE STEINBERG: Okay.

4 THE WITNESS: I pretty much didn't even care if I
5 didn't get involved in radio right away again.

6 JUDGE STEINBERG: It sounds to me like you were a
7 little bitter.

8 THE WITNESS: Yes.

9 JUDGE STEINBERG: What caused the bitterness?
10 What happened to make you change your attitude?

11 THE WITNESS: Quite a lot of things. They brought
12 in a new general manager.

13 JUDGE STEINBERG: He being?

14 THE WITNESS: Jerry Turro.

15 JUDGE STEINBERG: Okay.

16 THE WITNESS: He wanted to make a lot of changes
17 in the way the station was being run. We followed his
18 changes, that meaning myself and the other employees there,
19 but began to question some of the things that were happening
20 because the staff that was there, most of those people were
21 there from day one that helped put this all together for
22 him.

23 The general manager was coming in wanting to
24 change everything around. We went along with some of the
25 changes that this new general manager wanted to make if we

1 saw that it would improve even on our own systems, but he
2 started changing things that started to cause commercial
3 copy not to air on time, to cause spots to not be produced
4 when they should be produced, a mixup of copyrighters so
5 something wouldn't get done.

6 This is a system that I had worked on with the
7 copyrighter at the time, with the traffic manager at the
8 time. We had a good system that worked for us. He said
9 this is how it's been done everywhere else. This is how I
10 want it down.

11 JUDGE STEINBERG: This is the general manager?

12 THE WITNESS: This is the general manager.

13 JUDGE STEINBERG: What is the person's name?

14 THE WITNESS: Jay Epstein.

15 JUDGE STEINBERG: Jay Epstein. How long before
16 you left had this change occurred?

17 THE WITNESS: I don't remember exactly when Jay
18 got there. I really wouldn't want to put a time frame on
19 it. I am not certain. It all happened fairly fast. Part
20 of that whole situation also was that he --

21 JUDGE STEINBERG: He being Mr. Epstein?

22 THE WITNESS: Mr. Epstein. We felt that he really
23 didn't respect the girls that worked there and the amount of
24 work that they did. They were all very good, and he tended
25 to knock them.

1 We had a copyrighter, Julie, that got fed up with
2 what was going on and was I believe called in to Mr.
3 Epstein's office with two other employees, two other women,
4 talking about something. As I was coming into work, I
5 walked into the office. The girls told me that Julie just
6 left. She walked out. She quit. The two girls that were
7 in the office with her were very emotional about it, very
8 upset.

9 I tried to contact Julie. I left a message at
10 home to let her know if she wanted me to bring her things
11 from the station to where she lived. I think she lived in
12 New York at the time. I didn't get her.

13 I went over to console the two employees, the two
14 fellow employees, and Jay Epstein came out of his office and
15 started to give this speech how this happens everywhere,
16 which may have been all well and good if it does. It's my
17 experience now that these things do happen.

18 To be as cold as he was to two people that just
19 lost a very good friend that they had worked a very long
20 time to put this place together -- she walked out, and the
21 two girls were very emotional. He was very cold towards
22 them and wanted to give a lecture rather than give them some
23 time on their own to talk about things. I couldn't handle
24 what I was seeing, what was happening.

25 JUDGE STEINBERG: Was this the first experience

1 you had of this type of thing going on?

2 THE WITNESS: My first experience?

3 JUDGE STEINBERG: I've seen people walk out or
4 been fired before on other jobs, but I've also been there
5 for those people. They need that time, a few minutes even,
6 just to let them let go of their anger. That wasn't about
7 to happen there.

8 When I went to go put an arm around them, I was
9 looked at as if why even bother? He wanted to lecture. He
10 stood in front of the three of us at the time and said
11 Cathy, Karen, Vince, let me let you in on this, too. You
12 should hear this. He put out his hands like this. That's
13 the point where I just handed him my resignation. I had it
14 ready to go, and I knew at that point that was it.

15 We had lost Bill Gaghan as well. Rumors were
16 floating around that Jerry and Jay were trying to conspire
17 to get rid of Bill Gaghan. They couldn't figure out how.
18 We got the word from a friend of Mr. Gaghan's at a New York
19 radio station that he got a call about becoming the new
20 program director of Jukebox because they wanted to get rid
21 of Bill.

22 I assume Mr. Turro and Mr. Epstein didn't know
23 that this person was friends with Bill Gaghan. Bill Gaghan
24 got word of the rumor and decided to walk out before he
25 could be fired.

1 Some of the things that went on with the treatment
2 of the employees was just -- I could understand if we were
3 bad employees, but I think we did everything.

4 JUDGE STEINBERG: And this was by Mr. Epstein?

5 THE WITNESS: I'm sorry?

6 JUDGE STEINBERG: And this was treatment by Mr.
7 Epstein?

8 THE WITNESS: Mr. Epstein and Mr. Turro. Mr.
9 Turro was no longer the friend anymore that we had. He
10 wouldn't stick up for us if Mr. Epstein made these moves.
11 He said he's the general manager now. He's in charge.

12 In most instances you would understand that yes,
13 he's the general manager. He's in charge. In the case
14 where we knew Jerry Turro as a friend, the atmosphere was
15 different. It was kind of difficult to see that the friend
16 wouldn't stick up for you in something or at least hear your
17 side of the story and take some sort of action on it or sit
18 down and talk about it. Instead it was just do as he says.
19 If you don't like it, get out.

20 JUDGE STEINBERG: Mr. Turro said that?

21 THE WITNESS: Yes.

22 JUDGE STEINBERG: So you went to Mr. Turro and
23 explained to him the situation with Mr. Epstein?

24 THE WITNESS: Yes.

25 JUDGE STEINBERG: How many times did you do that?

1 THE WITNESS: From what I remember, one time.

2 JUDGE STEINBERG: Was it just you, or was it --

3 THE WITNESS: I went once alone on my own. I
4 don't know about the other employees. I know that they had
5 spoken to him, but I don't know if it was together or
6 individually. I'm not sure. I don't know.

7 JUDGE STEINBERG: So basically you did not like
8 the treatment anymore. Were your job duties different?

9 THE WITNESS: There were a lot of more hours being
10 put in since the system was changed. We had a certain way
11 of doing things. There were times where working a 40 hour
12 week I rarely held down 40 hours. It was more like 50, 60,
13 70 hours.

14 JUDGE STEINBERG: Did you get paid for the extra
15 hours?

16 THE WITNESS: No.

17 JUDGE STEINBERG: Did you resent Mr. Turro because
18 of what happened at the station?

19 THE WITNESS: Yes.

20 JUDGE STEINBERG: Were you mad at him?

21 THE WITNESS: Yes.

22 JUDGE STEINBERG: Were you mad enough to make up
23 stories about him?

24 THE WITNESS: No.

25 JUDGE STEINBERG: You would not do that?

1 THE WITNESS: No.

2 JUDGE STEINBERG: Do you know what the
3 consequences would be if you did?

4 THE WITNESS: Of course.

5 JUDGE STEINBERG: What would they be.

6 THE WITNESS: If you're referring to my statement
7 and what's happened here, that would be committing perjury.
8 No.

9 JUDGE STEINBERG: And in your own mind, what could
10 happen?

11 THE WITNESS: I couldn't even begin to think. I
12 can imagine a lot. A tremendous amount of penalties. I
13 don't know.

14 JUDGE STEINBERG: Is there anything that you said
15 here today that you might want to change or amend or take
16 back?

17 THE WITNESS: No, sir. I don't believe so.

18 JUDGE STEINBERG: This was very emotional for you,
19 was it not?

20 THE WITNESS: Uh-huh.

21 JUDGE STEINBERG: This whole thing has not been
22 very pleasant?

23 THE WITNESS: No.

24 JUDGE STEINBERG: Any redirect? Do you want to
25 take a break for a few minutes?

1 I am sorry, Mr. Riley.

2 MR. RILEY: Let me ask my advisor, Mr. Weis, here.

3 (Pause.)

4 MR. RILEY: Your Honor, I have only one question.

5 CROSS-EXAMINATION

6 BY MR. RILEY:

7 Q Mr. Luna, at the top of Page 2 of your statement
8 that is signed in October of 1997 there is a statement that
9 echoes one that is in your August 9, 1995, statement on Page
10 1. It is a short statement. It is in the second and third
11 lines on what is stamped Page 230 of Bureau Exhibit 14.

12 It is simply one that says there is a microwave
13 link of Jukebox Radio on top of 75 Second Street on a
14 building owned by Wes Weis. As I say, there is a statement
15 similar in meaning, if not identical, in your August of 1995
16 statement on the first page of that statement.

17 Is your understanding, to the extent you have any
18 at all, simply that Jukebox occupies that building top and
19 that dish, or did at that time, as a tenant of Mr. Weis?

20 A Yes. Correct.

21 Q And that is your knowledge of that entirely? They
22 are a tenant?

23 A I'm sorry? Can you repeat that, sir?

24 Q Jukebox for that purpose is a tenant of Mr. Weis?
25 Is that right?

1 A That's correct.

2 MR. RILEY: That is the only question I had, Your
3 Honor.

4 JUDGE STEINBERG: Redirect?

5 REDIRECT EXAMINATION

6 BY MR. HELMICK:

7 Q Mr. Luna, you made in your testimony allusion to a
8 meeting that Mr. Turro had with the staff to discuss the
9 interference that was being received from WBAI in New York
10 City. Is that correct?

11 A Yes.

12 Q Can you put any kind of a time frame on when that
13 speech or meeting of the staff occurred?

14 A I don't recall.

15 Q Would it have been before Pomona went on the air?

16 A Yes. Yes, by virtue of the fact that we were
17 trying to avoid that interference from WBAI because
18 Monticello was going to be the station that Fort Lee would
19 be translating from.

20 Q So when Mr. Turro talked to the staff about this
21 interference problem --

22 A It was not a formal meeting. It was he would ask
23 how are things going. Well, this is what's happening up
24 there. I keep hearing this interference. I'm not sure what
25 it is. Then he said it's splash from WBAI.

1 He said that he was going to be able to make
2 something or get something from someone that would be able
3 to narrow it so it would only pick up 99.7 so we wouldn't
4 pick up the splash from WBAI so it wouldn't cause any
5 interference on the Fort Lee translator.

6 Q So this discussion occurred sometime after WJUX
7 went on the air in Monticello?

8 A Yes.

9 Q And before the Pomona translator was activated?

10 A Yes.

11 Q Do you recall when the interference problem with
12 WBAI was improved? Do you have any time frame on when the
13 situation improved?

14 A No, I don't. I know how it was remedied, but I
15 don't remember the time frame.

16 Q How was it remedied?

17 A Jerry was able to pick up with no problem in his
18 car 99.7 when he was driving outside of the Fort Lee
19 transmitter area outside of the Mediterranean Towers there.
20 He said that if he could receive it in his car, there might
21 be a chance he could receive it on the roof of the
22 Mediterranean Towers using a similar setup.

23 He went out and purchased a car radio, had some
24 type of antenna connected to it and was able to walk around
25 the roof of the Mediterranean Towers and pick up the signal

1 clearly or what he thought was clearer than -- he didn't get
2 that BAI splash.

3 Following that, he said he was going to use that
4 instead of whatever receiver he had there at the time in
5 order to receive a clearer sound from the Monticello.

6 Q Do you recall approximately what time he told you
7 that?

8 A No, sir, I don't.

9 JUDGE STEINBERG: You have never visited the
10 equipment that is in is it the Mediterranean Towers? You
11 have never seen the equipment there?

12 THE WITNESS: No. I've seen photographs in
13 exhibits in the deposition, but, no, I've never been there.
14 I've never actually been there to the site.

15 BY MR. HELMICK:

16 Q And you were not with Mr. Turro when he picked up
17 the signal on his car radio?

18 A No. No. I believe I was back at the station.

19 Q So you are relying upon what Mr. Turro told you?

20 A Yes.

21 JUDGE STEINBERG: Do you have the exhibits to the
22 deposition?

23 MR. C. NAFTALIN: Yes. They are right here.

24 JUDGE STEINBERG: The photos? Let me see them.

25 You can continue. I can listen and do something else at the

1 same time.

2 BY MR. HELMICK:

3 Q Going back to the incident that you described as
4 what you felt was a deception of the Commission, I am trying
5 to pinpoint the date in time when this occurred.

6 Did this incident which you think was a deception
7 occur on the same day the FCC inspector was at WJUX in
8 Monticello?

9 A From what I can remember, it was. There were --
10 when I was given the phone call, the person that gave me the
11 phone call sounded very nervous.

12 Q Do you know who was on the phone?

13 A Gene Blabey.

14 Q And what did he say? Did he call you directly?

15 A No. He called the radio station. I can only
16 assume that he was looking for Jerry.

17 Q When you say he called the radio station, do you
18 mean --

19 A He called the Dumont studios. I don't know who
20 answered the phone there. It was probably one of the girls
21 downstairs. The call was directed to me because I would
22 have been the next available person that may know how to
23 deal with the situation, having dealt with an inspection
24 from the FCC once before.

25 Q What did Mr. Blabey say to you?

1 A He said that there was an FCC inspector there that
2 wanted to know if the station had control over the -- if
3 Dumont had control over the Monticello station.

4 Q All right. Was anything else said?

5 A By Mr. Blabey?

6 Q Yes.

7 A He was quite nervous. He just said there was
8 someone there. The inspector was there. He didn't know how
9 to get in touch with Jerry. He wanted to know what to do.

10 From what I can remember, he said that the guy was
11 going to come for an inspection on the next day, but to the
12 best of my recollection when he made that call that was the
13 same day that I was instructed by Jerry, along with Bill
14 Gaghan and Bill Owen, to do this operation.

15 Q All right. Now, presumably after Mr. Blabey
16 called you did you call Mr. Turro? How did Mr. Turro get --

17 A I mentioned to everyone at the station, which
18 would have included Jay Epstein, Karen Coogan and Cathy
19 Cioga, that I needed to get in touch with Jerry.

20 I don't know who actually got in touch with him,
21 but if I remember correctly it was Jay Epstein that told me
22 that he was on the phone. He took me aside, along with Bill
23 Gaghan, and said that we were to follow Jerry's instructions
24 in this matter.

25 Q What was the time interval between receiving Mr.

1 Blabey's call and getting on the phone with Mr. Turro? How
2 much time elapsed?

3 MR. RILEY: Your Honor, I hate to lodge an
4 objection, but I want to do one for the record here.

5 This is redirect. I surely did not ask questions
6 that prompt this, and I do not recall Mr. Naftalin asking
7 questions either about any communication between Mr. Blabey
8 and Mr. Luna or questions even trying to pin this alleged
9 incident to the day that the FCC inspector was in
10 Monticello.

11 JUDGE STEINBERG: Do you want to respond?

12 MR. HELMICK: Your Honor, there was certainly
13 questioning on the inspection. I think that we should be
14 given a little leeway to try to clarify when these events
15 happened and nail them down.

16 JUDGE STEINBERG: Okay. I do not remember any
17 direct testimony on the inspection from Mr. Luna.

18 MR. HELMICK: There was certainly testimony on
19 this incident.

20 JUDGE STEINBERG: Yes, but it was not tied into
21 any inspection. Let's see where you are going.

22 MR. HELMICK: I only have a couple of questions,
23 Your Honor.

24 BY MR. HELMICK:

25 Q The question I had was how much time elapsed

1 between the call from Mr. Blabey and when Mr. Turro got on
2 the phone with you?

3 A Within 20 minutes. It wasn't long at all.

4 Q Can you pinpoint the time when Mr. Blabey made the
5 call to you? Was it in the morning? The afternoon? What
6 time?

7 MR. RILEY: Same objection, Your Honor.

8 JUDGE STEINBERG: Let's see if we can be a little
9 less detailed.

10 MR. HELMICK: Your Honor, I have about two
11 questions. I just want to pinpoint the time, and then I am
12 done.

13 JUDGE STEINBERG: Well, do you remember about what
14 time?

15 Which is this, the Blabey phone call?

16 MR. HELMICK: Yes, Your Honor. What time of the
17 day it was.

18 THE WITNESS: I know that it was not early morning
19 only because when Jerry did call back and this procedure was
20 to take place, Bill Owen was there. He was to be part of
21 this.

22 The only way Bill Owen could have been there is
23 that his air shift started at 10:00 in the morning and ended
24 at 2:00 in the afternoon. Bill would sometimes stay after
25 to record commercials, but if he did that would have been

1 with me. I wasn't in the production studio at that time. I
2 was in the air studio.

3 To the best of my recollection, it was between
4 10:00 a.m. and 2:00 p.m. on that day.

5 MR. HELMICK: That is it, Your Honor.

6 JUDGE STEINBERG: Ms. Friedman?

7 MS. FRIEDMAN: We have no questions.

8 JUDGE STEINBERG: Mr. Naftalin?

9 MR. C. NAFTALIN: Mr. Luna, I just want to say I
10 know this was an unpleasant experience, and thank you for
11 your testimony today.

12 JUDGE STEINBERG: Mr. Riley?

13 MR. RILEY: I have some questions, Your Honor.

14 RE-CROSS-EXAMINATION

15 BY MR. RILEY:

16 Q Did you identify yourself to Mr. Blabey?

17 A I believe I said I was Vince, the production
18 direction. I don't --

19 Q Did you give a last name?

20 JUDGE STEINBERG: Let him finish the answer.

21 MR. RILEY: I am sorry.

22 BY MR. RILEY:

23 Q Did you give a last name?

24 A I don't recall if I gave him a last name.

25 Q Are you confident that you said it was Vince, the

1 production director?

2 A I'm only confident as far as when I speak to
3 someone I haven't spoken to before, I would normally say hi,
4 this is Vince. What can I do for you?

5 I don't recall that I actually said to Gene hi,
6 Gene. I'm Vince. That's my normal practice. If I pick up
7 the phone with someone I haven't spoken to and there's an
8 important situation, this is Vince. What do you need?
9 What's the problem.

10 Q You had not spoken to him before then?

11 A Gene? I don't believe I ever have. I know I
12 never met the man. I don't know that I ever spoke to him on
13 the phone before.

14 Q You speak of him as Gene. It sounds like you are
15 more familiar.

16 A Well, we know of a Gene Blabey as a general
17 manager of sorts, but we never actually met the guy.

18 Q And you had not spoken with him before that you
19 recall?

20 A No.

21 Q As I understand it, you claim he sounded nervous?

22 A Yes.

23 Q Is that your testimony?

24 A That's correct.

25 Q But you had not spoken with him before?

1 A No, I hadn't. I had not.

2 Q He might be hyperventilating all the time.

3 A He may be.

4 Q So you do not really know by comparison with any
5 other exchange whether Mr. Blabey was calm for him --

6 A That's correct.

7 Q -- or nervous for you or me?

8 A Correct.

9 Q I think you said that Mr. Blabey told you the FCC
10 inspector wanted to know if Dumont had control over WXTM.
11 Is that what you said?

12 A Correct.

13 Q Do you understand that to be the inspector wanted
14 to know if Jukebox Radio at its location in Dumont could
15 operate WXTM by remote control or whether Jukebox Radio
16 located in Dumont, New Jersey, improperly had control of the
17 station, WXTM?

18 A Oh, no. There was never any time where I thought
19 they were trying to find out if it was an improper control
20 of --

21 Q You understood that sentence to be reference, to
22 the extent it was a sentence in your testimony --

23 A Can you guide to it or not?

24 Q Remote control? Controlling the transmission?

25 A Yes.

1 Q I understood your testimony to be that Mr. Blabey
2 said the inspector wanted to do the test the following day.
3 Is that correct?

4 A Yes. I said that, but I honestly don't know if it
5 was the next day that it actually happened. I know that Mr.
6 Blabey said that it was supposed to happen the next day.

7 Q You do know that is what Mr. Blabey said? That
8 was my question to you.

9 A Yes.

10 Q I was not trying to --

11 A Correct.

12 JUDGE STEINBERG: You recall him saying the
13 inspector wants to do it the next day?

14 THE WITNESS: Correct. Yes, I do.

15 BY MR. RILEY:

16 Q Was Mr. Blabey asking you to put him in contact
17 with Mr. Turro, or was he simply imparting this information
18 to you?

19 A He seemed to be imparting information to the
20 Dumont studios so some action would be taken.

21 Q Some action to be taken on what the FCC inspector
22 wanted to do, as you understood it from Mr. Blabey, --

23 A Yes.

24 Q -- for the test on the next day?

25 A Yes. It was my understanding he ultimately wanted

1 to get in touch with Jerry Turro. For him to do that, he
2 would call Dumont. Not getting him, he would ask someone in
3 Dumont to contact him and for us to take over from that
4 point.

5 Q That was my question to you a moment ago, and I
6 think your answer was somewhat different or perhaps I
7 misunderstood it.

8 Was he asking, he being Mr. Blabey, that you
9 arrange to put him in contact with Mr. Turro, as you
10 understood it, or was Mr. Blabey imparting to you
11 information related to the FCC inspector's visit to
12 Monticello?

13 A I think he was just giving me information.

14 Q Is there more? That is the answer?

15 A I believe so. I don't think that -- again, this
16 goes back to me thinking that he was nervous. He didn't
17 sound like he wanted to really handle this on his own. He
18 wanted to have Jerry, who was supposed to be in charge of
19 this, take care of it.

20 Obviously we just figured that he may not have
21 been nervous, so I don't know. That was my feeling at the
22 time.

23 Q Twice I think you have told me that you understood
24 Mr. Blabey to be imparting information to you about the FCC
25 inspector's desires, including a determination about whether

1 on the one hand Dumont had remote control of WXTM and on the
2 other hand that the FCC inspector wanted to do a test on the
3 subsequent day.

4 Each time, having said that, you add to it that
5 Mr. Blabey wanted you to put him in contact with Mr. Turro.
6 Did Mr. Blabey say please put me in contact with Mr. Turro?

7 A To me? No.

8 Q He did not?

9 A No.

10 Q You then on your own called Mr. Turro?

11 A No, sir, I did not.

12 Q Who did?

13 A As I stated earlier, it may have been either Jay
14 Epstein, Karen Coogan and Cathy Cioga, who were downstairs,
15 when I said to them we need to get in touch with Jerry.
16 Someone get in touch with him.

17 Q At the end of your conversation with Mr. Blabey,
18 he had not asked that you contact Mr. Turro. At the end of
19 the conversation with Mr. Blabey, had you not taken that
20 next step Mr. Turro would not have been gotten in contact
21 with, certainly not at the request of Mr. Blabey. Is that
22 not right?

23 A Correct.

24 Q And what Mr. Blabey would have done was impart to
25 you information that an FCC inspector on the subsequent day

1 wanted to do something to determine that remote control of
2 WXTM from Dumont existed. Is that right?

3 A Yes.

4 Q That is where the world would have been at that
5 point --

6 A Yes.

7 Q -- had you not taken the step you took not at Mr.
8 Blabey's request? Is that right?

9 A He --

10 Q Had you not initiated an effort to contact Mr.
11 Turro, Mr. Turro would not have been contacted by Mr.
12 Blabey, and Mr. Blabey did not ask that he be contacted.
13 That is my point.

14 A That's correct.

15 Q And all Mr. Blabey was doing was imparting, for
16 all you know at the request of the FCC inspector, that steps
17 be taken to permit the FCC inspector on the subsequent day
18 to do a test?

19 A Yes.

20 MR. RILEY: I have no other questions for Mr.
21 Luna.

22 JUDGE STEINBERG: Before I excuse Mr. Luna, I have
23 up here copies that Mr. Naftalin gave me of the photographs
24 there were shown to Mr. Luna during his deposition. These
25 are marked as exhibits. I have looked at them.